

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments and the comments set forth fully below. Claims 1-15 and 19-35 were pending. Within the Office Action, claims 1-15 and 19-35 have been rejected. By the above amendment, claims 6, 9, 14, 26-27 and 32-33 have been amended. Claims 1-15 and 19-35 are now pending.

Election/Restrictions

Within the Office Action, a restriction requirement was made pursuant to 35 U.S.C. §121. As stated within the Office Action, the Examiner conducted a telephone interview with Jonathan O. Owens and the Applicants subsequently elected Group I, claims 1-15 and 19-35 without traversal in a March 18, 2003 communication.

Objections To The Specification

Within the Office Action it is stated that the title of the invention is not descriptive and is too lengthy. By the above amendment, the title of the invention has been amended and is now clearly indicative of the invention to which the claims are directed.

Within the Office Action, the disclosure is objected to because of a certain informality. Specifically, it is stated that the "field of the invention" should be modified due to the election. By the above amendment, the "field of the invention" has been amended to reflect the changed scope of the invention due to the election.

Information Disclosure Statement

Within the Office Action, it is stated that the "submission" is in compliance with the provisions of 37 CFR 1.97. However, the Examiner requests a list of all the submitted references on one document for initialization. The Applicants have submitted six separate information disclosure statements in this matter on September 11, 2000, August 27, 2001, November 21, 2001, August 28, 2002, September 3, 2002 and March 5, 2003. Therefore, the Applicants have enclosed copies of each FORM PTO-1449 originally submitted with the above referenced information disclosure statements for the Examiner's signature.

Rejections Under 35 U.S.C. § 112

Within the Office Action, claims 14, 15 and 26-28 have been rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The Applicants respectfully disagree with this rejection.

Regarding claims 14 and 27, it is stated within the Office Action that the terms “appropriate” and “legitimate” are indefinite and need to be removed or replaced with real values. By the above amendment, the Applicants have amended claims 14 and 27, to delete the term “legitimate” in both cases. However, the Applicants submit that “appropriate” is not indefinite and is defined by real values in claims 15 and 28 respectively. For at least these reasons, claims 14 and 27 are definite and do particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Applicants have also likewise amended claim 33 to be consistent with the amendments of claims 14 and 27.

Claims 15 and 28 are dependent on claims 14 and 27, respectively. As discussed above, claims 14 and 27 are definite and do particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Accordingly, the dependent claims 15 and 28 are also allowable as being dependent on an allowable base claim.

Regarding claim 26, it is stated within the Office Action that the term “substantially” is indefinite and needs to be removed or replaced accordingly. By the above amendment, the Applicants have amended claim 26 to delete the term “substantially.” For at least these reasons, claim 26 is definite and does particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Applicants have also likewise amended claims 6, 9 and 32 to be consistent with the amendment of claim 26.

Rejections Under 35 U.S.C. § 103

Within the Office Action, claims 1-13, 19-26, 29-32 and 35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter “the AAPA”) in view of U.S. Patent No. 6,012,117 to Traw et al. (hereinafter “Traw”). The Applicants respectfully disagree with this rejection. Referring to Figure 4A of the present application, which is designated as prior art, and the accompanying description, teaches Source Packets 60-63, having **Source** Headers 68-71 added before transmission. After the Source Headers 68-71 are added to the Source Packets 60-63, the Source Packets with added Source Headers 64-67 are split into Data Blocks 0-7. These Data Blocks 0-7 make up the data portion 74 of the **packet of data** being prepared for **transmission**. The CIP header 78 and the Isoch

header 76 are then added to the data portion 74 of the **packet of data** being prepared for **transmission**. Therefore, within the specification of the present invention, adding a **Source Packet Header** 68-71 to Source Packets 60-63 is taught in order to produce a data portion 74 of the packet of data 74-76 that is ready for **transmission**. As recognized by the Office Action, the specification of the present invention which is designated as prior art does not teach receiving a packet of data. More importantly, the specification of the present invention which is designated as prior art does not teach adding a header to a received packet of data as the packet of data in the specification of the present invention which is designated as prior art is the combination of the data blocks 74, the CIP header 78 and the Isoch header 76, and not merely each source packet 60-61. The specification of the present invention which is designated as prior art also does not teach storing the extended packet of data onto a media within the media storage device. 200c

Traw also does not teach adding a header to a received packet of data thereby forming an extended packet of data. Traw also does not teach storing the extended packet of data onto a media within the media storage device. Accordingly, neither the specification of the present invention which is designated as prior art, Traw nor their combination teach adding a header to a received packet of data thereby forming an extended packet of data and storing the extended packet of data on to a media within the media storage device.

In contrast to the teachings of the specification of the present invention which is designated as prior art, Traw and their combination, the method of and apparatus for writing and reading time sensitive data within a storage device of the present invention receives a received packet of data to be written to the media storage device, adds a header to the received packet of data thereby forming an extended packet of data, and stores the extended packet of data onto a media within the media storage device. Referring to Figure 4B, the received packet of data 80 includes the Isoch header, the CIP header and the data blocks, as described previously. However, after receipt of the packet of data, the present invention adds the Meta-Data Header 82, in stark contrast to the configuration described in either the specification of the present invention which is designated as prior art, Traw, or their combination. As described above, neither the specification of the present invention which is designated as prior art, Traw nor their combination teach receiving a received packet of data to be written to the media storage device, adding a header to the received packet of data thereby forming an extended packet of data and storing the extended packet of data onto a media within the media storage device.

The independent claim 1 is directed to a method of writing data to a media storage device. The method of claim 1 comprises receiving a received packet of data to be written to the media storage device, adding a header to the received packet of data thereby forming an extended

packet of data and storing the extended packet of data onto a media within the media storage device. As described above, neither the specification of the present invention which is designated as prior art, Traw nor their combination teach adding a header to the received packet of data thereby forming an extended packet of data and storing the extended packet of data onto a media within the media storage device. For at least these reasons, the independent claim 1 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination.

Claims 2-7 are all dependent on the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination. Accordingly, the dependent claims 2-7 are all also allowable as being dependent on an allowable base claim.

The independent claim 8 is directed to a method of reading data from a media storage device which has previously been stored with header data generated by the media storage device. The method of claim 8 comprises locating a first header data, including a cycle mark value having a pattern, reading a previously stored packet of data following the first header data from a media within the media storage device, stripping the first header data from the previously stored packet of data thereby forming a retrieved packet of data and transmitting the retrieved packet of data to another device. As described above, neither the specification of the present invention which is designated as prior art, Traw nor their combination teach locating a first header data, including a cycle mark value having a pattern, reading a previously stored packet of data following the first header data from a media within the media storage device, stripping the first header data from the previously stored packet of data thereby forming a retrieved packet of data and transmitting the retrieved packet of data to another device. For at least these reasons, the independent claim 8 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination.

Claims 9-13 are all dependent on the independent claim 8. As discussed above, the independent claim 8 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination. Accordingly, the dependent claims 9-13 are all also allowable as being dependent on an allowable base claim.

The independent claim 19 is directed to a meta data header added to received packets by a media storage device as the packets are recorded on storage media within the media storage device. The meta data header of claim 19 comprises a cycle mark value including a pattern used to locate cycle boundaries within the received packets and a cycle count value specifying a cycle number of a cycle in which the received packets are received. As described above, neither the

specification of the present invention which is designated as prior art, Traw nor their combination teach a cycle mark value including a pattern used to locate cycle boundaries within the received packets and a cycle count value specifying a cycle number of a cycle in which the received packets are received. For at least these reasons, the independent claim 19 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination.

Claims 20-23 are all dependent on the independent claim 19. As discussed above, the independent claim 19 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination. Accordingly, the dependent claims 20-23 are all also allowable as being dependent on an allowable base claim.

The independent claim 24 is directed to a media storage device. The media storage device of claim 24 comprises a means for interfacing configured for receiving a stream of data, thereby forming a received stream of data, and also for transmitting a retrieved stream of data, means for storing data for storing and retrieving the received stream of data and means for processing coupled to the means for interfacing and to the means for storing for adding header data to the received stream of data as the received stream of data is received and providing the header data and the received stream of data to the means for storing for recording thereby forming a recorded stream of data, the header data including a cycle mark value marking cycle boundaries within the recorded stream of data. As described above, neither the specification of the present invention which is designated as prior art, Traw nor their combination teach a means for interfacing configured for receiving a stream of data, thereby forming a received stream of data, and also for transmitting a retrieved stream of data, means for storing data for storing and retrieving the received stream of data and means for processing coupled to the means for interfacing and to the means for storing for adding header data to the received stream of data as the received stream of data is received and providing the header data and the received stream of data to the means for storing for recording thereby forming a recorded stream of data, the header data including a cycle mark value marking cycle boundaries within the recorded stream of data. For at least these reasons, the independent claim 24 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination.

Claims 25, 26 and 29 are all dependent on the independent claim 24. As discussed above, the independent claim 24 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination. Accordingly, the

dependent claims 25, 26 and 29 are all also allowable as being dependent on an allowable base claim.

The independent claim 30 is directed to a media storage device. The media storage device of claim 30 comprises an interface circuit configured to receive a stream of data, thereby forming a received stream of data, and also to transmit a retrieved stream of data, storage media configured to store and retrieve the received stream of data and an embedded stream processor coupled to the interface circuit and to the storage media to add header data to the received stream of data as it is received and provide the header data and the received stream of data to the storage media for recording to form a recorded stream of data, the header data including a cycle mark value marking cycle boundaries within the recorded stream of data. As described above, neither the specification of the present invention which is designated as prior art, Traw nor their combination teach an interface circuit configured to receive a stream of data, thereby forming a received stream of data, and also to transmit a retrieved stream of data, storage media configured to store and retrieve the received stream of data and an embedded stream processor coupled to the interface circuit and to the storage media to add header data to the received stream of data as it is received and provide the header data and the received stream of data to the storage media for recording to form a recorded stream of data, the header data including a cycle mark value marking cycle boundaries within the recorded stream of data. For at least these reasons, the independent claim 30 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination.

Claims 31, 32 and 35 are all dependent on the independent claim 30. As discussed above, the independent claim 30 is allowable over the teachings of the specification of the present invention which is designated as prior art, Traw and their combination. Accordingly, the dependent claims 31, 32 and 35 are all also allowable as being dependent on an allowable base claim.

Claims 14, 15, 27, 28, 33 and 34 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the AAPA in view of Traw as applied to claim 1 above, and further in view of U.S. Patent No. 6,438,604 to Kuver et al. (hereinafter "Kuver"). Claims 14 and 15 are dependent on independent claim 8. Claims 27 and 28 are dependent on independent claim 24. Claims 33 and 34 are dependent on independent claim 30. As discussed above, the independent claims 8, 24 and 30 are allowable over the teachings of the AAPA, Traw and their combination. Accordingly, the dependent claims 14, 15, 27, 28, 33 and 34 are all also allowable as being dependent on an allowable base claim.

For the reasons given above, Applicants respectfully submit that the claims are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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Dated: June 12, 2003

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:
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HAVERSTOCK & OWENS LLP.
Date: 6-12-03 By: Jonathan Owens